

9. (Original) The method of Claim 1, further comprising taking a subsequent image of the passenger and comparing the subsequent image to the first electronic image, and routing the passenger according to a result of a comparison of the first electronic image and the subsequent image.
10. (Currently amended) The method of Claim 1, further comprising filling out a customs declaration form, entering the form into a the computer memory, sending the form to the government or governmental agent, and routing the passenger in accordance with the government or governmental agent.
11. (Cancelled).
12. (Original) The method of Claim 1, further comprising giving the passenger notice of an instruction of the government or government agent.
13. (Previously presented) The method of Claim 1, wherein the procedure is that if no instruction is received from the government or governmental agent, the passenger is not required to process through customs or immigration.
14. (Previously presented) The method of Claim 1, wherein the procedure is that if no instruction is received from the government or governmental agent, the passenger is automatically required to process through customs or immigration or both customs and immigration.
- 15.-26. (Cancelled).

REMARKS

Claims 1-3 and 5-14 are pending in the application and are finally rejected. By this paper, it is proposed to amend claim 1 in order to put the application into condition for allowance or, alternatively, to narrow the issues for appeal. Entry of these amendments and reconsideration of the application is respectfully requested.

A. **Claims 1-3 and 5-14 stand rejected under 35 U.S.C. § 103**

In the office action mailed October 20, 2008, claims 1-3, 5-9, and 12-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mann et al (6,119,096) in view of Glenn et al (US2002/0004695). In addition, claim 10 was rejected as being unpatentable over Mann in view of Glenn as applied to claim 1, and in further view of Official Notice; claim 11 was rejected over Mann in view of Glenn as applied to claim 1, and in further view of Diamond et al (6,698,653); and claim 14 was rejected as being unpatentable over Mann in view of Glenn as applied to claim 1, and in further view of applicant's disclosure.

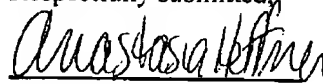
Applicants have amended claim 1 to include previously presented dependent claim 11, which recites electronically inspecting contents within baggage of the passenger; making a record of the electronic inspecting; entering the record into a computer memory; sending the record to the government or government agent; and routing the baggage in accordance with a procedure. Applicants respectfully assert that Mann in view of Glenn and in further view of Diamond does not render the instant invention obvious because none of the references taken alone or in combination teach or suggest all of the elements of claim 1.

Diamond is directed to an airport security system that provides that only baggage associated with an actual passenger is placed aboard an aircraft, and ensures positive baggage identification upon termination of a flight. Diamond, col. 2, lines 29-34. To accomplish those objectives, Diamond teaches creating a "Smart Tag" by affixing a microchip containing biometric, human image, or other identification data to passenger identification items such as a boarding pass and a baggage tag. Diamond, col. 6, line 2 – col. 7, line 7. At various points during the boarding procedure (e.g., at a boarding gate, a baggage-sorting monitor station, or a security checkpoint) the smart tags associated with a passenger are scanned. Diamond, col. 7, lines 41-45, 59-67, col. 8, lines 1-8, 34-51, 57-62. Thus, Diamond teaches electronically scanning smart tags affixed to baggage containing passenger identification information. Diamond does not teach electronically inspecting the contents within the baggage, making a record of the electronic inspecting, entering the record into the computer memory, sending the record to the government or government agent, and routing the baggage in accordance with the procedure.

Claim 1 is amended to further clarify that the contents within the bag are being electronically inspecting. Neither Diamond taken alone, or in combination with Mann or Glenn teach or suggest this feature of claim 1.

Applicants respectfully assert that Mann does not render the instant invention obvious in view of Glenn, and in further view of Diamond because none of the references teach or suggest the elements of claim 1. Because dependent claims 2-3, 5-10, and 12-14 all depend from claim 1, they are allowable for at least these same reasons. For the foregoing reasons, it is respectfully submitted that the rejection of the pending claims is overcome and should be withdrawn. Reconsideration and allowance of claims 1-3, 5-10, and 12-14 is respectfully requested.

Respectfully submitted,



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